

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Beka SOLOMON et al.

Application No.: 09/009,954

Filed: August 7, 2001

For: AGENTS AND COMPOSITIONS AND METHODS UTILIZING SAME USEFUL IN ...

Conf. No. 5281

Art Unit: 1647

Examiner: C. J. Nichols

Washington, D.C.

Atty.'s Docket: SOLOMON=2C

Date: November 12, 2004

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Transmitted herewith is a ☒ Amendment ☒ Appendices A, B, C and D
in the above-identified application.

☒ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☐ No additional fee is required.☒ The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|--------|---|-------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * 23 | MINUS | ** 121 | 0 |
| INDEP. | * 1 | MINUS | *** 11 | 0 |

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

ADDITIONAL FEE TOTAL

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 9 | \$ |
| x 43 | \$ |
| + 145 | \$ |
| ADDITIONAL FEE TOTAL | |
| \$ | |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 18 | \$ |
| x 86 | \$ |
| + 290 | \$ |
| TOTAL | |
| \$ | |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

☐ First - \$ 55.00
☐ Second - \$ 215.00
☐ Third - \$ 490.00
☐ Fourth - \$ 765.00
☐ Fifth - \$ 1040.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

☐ First - \$ 110.00
☐ Second - \$ 430.00
☒ Third - \$ 980.00
☐ Fourth - \$ 1530.00
☐ Fourth - \$ 2080.00

Month After Time Period Set

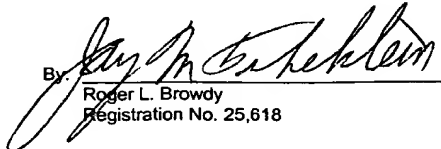
☐ Less fees (\$) already paid for month(s) extension of time on .☐ Please charge my Deposit Account No. 02-4035 in the amount of \$.☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 980.00.☐ A check in the amount of \$ is attached (check no.).

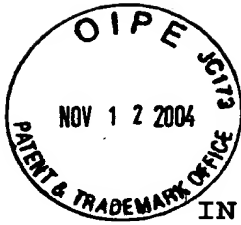
☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

By: 
Roger L. Browdy
Registration No. 25,618



1F12
1647
\$
CC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SOLOMON=2C

| | | |
|------------------------------|---|-------------------------|
| In re Application of: |) | Conf. No.: 5281 |
| Beka SOLOMON et al |) | Art Unit: 1647 |
| Appln. No.: 09/830,954 |) | Examiner: C. J. Nichols |
| Filed: August 7, 2001 |) | Washington, D.C. |
| For: AGENTS AND COMPOSITIONS |) | November 12, 2004 |
| AND METHODS UTILIZING SAME) |) | |
| USEFUL IN DIAGNOSING ...) |) | |

AMENDMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In response to the Office Action of May 12, 2004,
petition and payment for a three-month extension of time being
attached hereto, please amend as follows:

Amendments to the Specification begin on page 3 of
this paper.

Amendments to the Claims are reflected in the
listing of claims that begins on page 4 of this paper.

Amendments to the Drawings begin on page 6 of this
paper.

Remarks/Arguments begin on page 9 of this paper.

Following page 18 are the following:

A Substitute Specification and marked-up
Specification as filed are attached as **Appendices A and B**,
respectively.

Appln. No. 09/830,954
Amdt. dated November 12, 2004
Reply to Office action of May 12, 2004

Substitute formal drawings (20 sheets), including substitute drawing pages 12-20 to replace drawing pages 13-25 as originally filed, with the corrections shown in the annotated drawings, are attached as **Appendix C**; annotated drawing sheets are attached as **Appendix D**.